

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MICHELLE McQUARTER,

Petitioner,

Case Number: 12-cv-12941

v.

HONORABLE STEPHEN J. MURPHY III

STATE OF MICHIGAN,

Respondent.

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**OPINION AND ORDER OF SUMMARY DISMISSAL WITHOUT PREJUDICE**

This is a habeas case under 28 U.S.C. § 2254. Petitioner Michelle McQuarter is a state inmate currently incarcerated at the Huron Valley Correctional Facility in Ypsilanti, Michigan. Petitioner filed a *pro se* petition for a writ of habeas corpus challenging her convictions for operating a motor vehicle while intoxicated causing death and operating a motor vehicle while intoxicated causing serious injury.

Petitioner failed to pay the \$5.00 filing fee or an application for leave to proceed *in forma pauperis*. See 28 U.S.C. § 1914(a); 28 U.S.C. § 1915; Rule 3 of the Rules Governing Section 2254 Cases. The Court therefore issued an Order to Correct Deficiency on July 12, 2012. The Court required Petitioner to correct the deficiency within twenty-one days and cautioned that if Petitioner failed to correct the deficiency, the petition would be subject to summary dismissal. The time for correcting the deficiency has elapsed and Petitioner has failed to do so.

Accordingly, the petition for a writ of habeas corpus is **DISMISSED WITHOUT PREJUDICE.**

**SO ORDERED.**

s/Stephen J. Murphy, III  
STEPHEN J. MURPHY, III  
United States District Judge

Dated: September 6, 2012

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on September 6, 2012, by electronic and/or ordinary mail.

Carol Cohron  
Case Manager